REMARKS

This responds to the Office Action mailed on August 26, 2008.

Claims 1, 8, and 15 are amended; as a result, claims 1-20 are now pending in this application.

Example support for the amendments may be found throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification paragraphs 25 and 42.

§112 Rejection of the Claims

Claims 1, 8 and 15 and dependent claims were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. Although Applicant disagrees with the alleged rationale for this rejection, the offending amendments have been removed from the claims; thus, these rejections are now moot points.

Claims 1, 8 and 15 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. Applicant respectfully does not completely understand the Examiner's rejection based on uppercasing WWW in the claims. There is no trademark for WWW. At any rate, it appears the Examiner believes that the rejection can be overcome by lowercasing WWW in the claims. Applicant has removed the reference to WWW in the claims in its entirety; as such, these rejections are now moot points as well as the ones levied under the first paragraph of 112.

§103 Rejection of the Claims

Claims 1-5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarrahan et al. (U.S. Publication Number 2003/0026424; hereinafter "McGarrahan") in view of Ishibashi et al. (U.S. Publication Number 2001/0053223; hereinafter "Ishibashi") and Ishiguro et al. (U.S. 7,266,691; hereinafter "Ishiguro"). To sustain an obviousness rejection, each and every element in the rejected claims must be taught or suggested in the proposed combination of references.

The cited references lack the specific detail that the generated authentication information now recites in independent claim 1. That is the proposed combination lacks authentication

information that includes "an identity for the recipient, an identification for the media content or stream, an Internet Protocol (IP) address for the recipient's computing device, setting for the computing device's electronic environment, an identification for the requesting media player, identifications for any previous sender or recipient of the media stream, an identity of a content provider that owns the media stream."

Thus, the rejections with respect to the independent claims and their corresponding dependent claims, the rejections of record should be withdrawn and these claims allowed. Applicant respectfully requests an indication of the same.

Claims 8-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarrahan in view of Ishibashi and Kempf et al. (U.S. Publication Number 2004/0240669; hereinafter "Kempf"). Again, obviousness requires that each and every element in the rejected claim be taught or suggested in the proposed combination of references.

The cited references do not teach generated authentication information that includes "an identity of the recipient, identification for the recipient's computing device, settings for the recipient's computing environment, identifications for previous recipients of the media content, identification for the media player's logic." Thus, the rejections should be withdrawn and the claims allowed. Applicant respectfully requests an indication of the same.

Claims 15-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarrahan in view of Ishibashi and Spagna et al. (U.S. 6,859,791; hereinafter "Spagna"). Obviousness requires each and every rejected claim element be taught or suggested in the proposed combination of references.

The Examiner has attempted to combine various different types of information from several references to assert that it is the authentication information that Applicant has claimed. Applicant asserts that this is clearly improper hindsight that can only be logically achieved after viewing Applicant's invention and then the references cited. Specifically, Applicant does not believe that one of ordinary skill in the art would have read these references and combined the information housed in the authentication information in the manner that the Examiner has

asserted. Applicant believes this was improper hindsight, which is still the law for obviousness even with the more relaxed laws that have recently been enumerated.

As such, Applicant believes the proposed combination is improper hindsight and cannot be used to render Applicant's claims obvious. So, the rejections of record should be withdrawn and the claims in question allowed. Applicant respectfully requests an indication of the same.

Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McGarrahan, Ishibashi and Ishiguro and further in view of Yamasaki et al. (U.S. Publication Number 2002/0161997; hereinafter "Yamasaki"). Claims 6-7 are dependent from amended independent claim 1; therefore, for the amendments and remarks presented above with respect to independent claim 1, the rejections of claims 6-7 should be withdrawn and these claims allowed. Applicant respectfully requests an indication of the same.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 26, 2008.

Ryan Saunders
Name

Signature